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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,206	01/21/2004	Kia Silverbrook	RRA21US	1340
24011 7590 06/09/2009 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA				
EXAMINER				
GARCIA JR, REIN				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/760,206

Applicant(s)

SILVERBROOK, KIA

Examiner

RENE GARCIA JR

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 5 recites the limitation "inkjet printer cradles" in line 2; distinction being that only "cradle" has been defined, not "cradles". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 6 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolash et al. (US 6,151,041) in view of Matsumoto (US 4,628,332).

Bolash et al. discloses the following claimed limitations:

*regarding claim 6, inkjet printer system (col. 1, lines 6-13) comprising:

*printer having an inkjet printer cradle/**print head carrier, 11/**, having a body/**print head carrier location: 38, 40, 42** (fig. 5; col. 5, lines 24-39; col. 7, lines 49- col. 8, line 4; only one location, i.e. 38, is required to meet limitations of claim) defining a recess for receiving a single cartridge/**print head cartridges: 44, 46, 48/**

*range of cartridges/**44, 46, 48**/, each cartridge comprising a printhead having at least one performance characteristic that differentiates it from others in the range (col. 1, lines 39-50 - high versus a low resolution cartridge)

*wherein, the printer performance is adjustable upon replacement of one cartridge from the set of supported cartridges with another cartridge from the set of supported cartridges (col. 8, lines 4-13; depending on installed cartridge or required cartridge to be installed, the printer functions based on header information specifying characteristics using specific print head cartridges.)

Bolash et al. does not disclose the following claimed limitations:

*regarding claim 6, the at least one performance characteristic including a print speed of the printhead

*regarding claim 4, wherein an inkjet printer cartridge not supported by a particular inkjet printer cradle is formed with a protrusion, or an indentation, that interferes with an indentation, or a protrusion, of the particular inkjet printer cradle upon attempting to insert said cartridge into said cradle

Matsumoto teaches the following:

*regarding claim 6, the at least one performance characteristic including a print speed of the printhead (col. 1, lines 49-59 – highly dense multi-orifice is analogous to

high resolution cartridge of Bolash et al. when compared to a, known in the art, low resolution cartridge)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize a performance characteristic including a print speed of the printhead as taught by Matsumoto into Bolash et al. for the purpose of increased speed of producing images.

Bolash et al. teaches the following:

*regarding claim 4, wherein an inkjet printer cartridge not supported by a particular inkjet printer cradle is formed with a protrusion, or an indentation, that interferes with an indentation, or a protrusion, of the particular inkjet printer cradle upon attempting to insert said cartridge into said cradle

While, the purpose of Bolash et al. is to provide a universal mounting system for any print cartridge to be located at any location regardless of type; Bolash et al. teaches the prior art of utilizing keying systems to prevent certain cartridges from being inserted into specific locations; see col. 1 line 59 – col. 2, line 5; Fig. 2, 3, 4; col. 5, lines 32- col. 6, line 11; col. 6, lines 13-25.

It would have reasonable for a person having ordinary skill in the art to utilize such a system, keying, to prevent certain cartridges from being inserted into locations on the print head carrier. As discussed in Bolash et al., see col. 6 lines 13-48, it is important for electrical and mechanical connections to be made, between printer and printhead, to properly operate. While silent, it is known in the art that print head design

can lead to changes in electrical layout, thus changing connections on the printer needed. Thus the condition of a new/new type, N/ printhead which would be incompatible for use in certain printer systems. Therefore it is reasonable to also design the print head cartridge with a variation of keying system such that the new are different from the old, as outlined and related to figures 2, 3, 4 of prior art. Wherein to a person having ordinary skill in the art would see it as reasonable to have a range of print cartridges available for the old, using old keying system, and a range of print cartridge available for the new, using a new keying system.

4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bolash et al. (US 6,151,041) as modified by Matsumoto (US 4,628,332) as applied to claim 6 above, and further in view of Waller et al. (US 6,250,738).

Bolash et al. as modified by Matsumoto disclose all of the claimed limitation except for the following:

*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead

*regarding claim 3, inkjet printer cartridges are of a type having an internal ink store in fluid communication with the pagewidth printhead

Waller et al. disclose the following:

*regarding claim 2, inkjet printer cartridges are of a type having a pagewidth printhead/**page-wide-array printhead/** (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/) for the purpose of printing one or more lines at a time.

*regarding claim 3, inkjet printer cartridges are of a type having an internal ink store/**reservoir, 15/** in fluid communication with the pagewidth printhead/**page-wide-array printhead/** (col. 4, lines 10-17) for the purpose of printing one or more lines at a time.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize inkjet printer cartridges are of a type having a pagewidth printhead; and inkjet printer cartridges are of a type having an internal ink store in fluid communication with the pagewidth printhead as taught by Waller et al. into Bolash et al. as modified by Matsumoto for the purpose of printing one or more lines at a time.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bolash et al. (US 6,151,041) as modified by Matsumoto (US 4,628,332) as applied to claim 6 above, and further in view of Carrese et al. (US 6,390,615).

Bolash et al. as modified by Matsumoto disclose all of the claimed limitation except for the following:

*regarding claim 5, indicia are present on the inkjet printer cartridges and on the inkjet printer cradles to indicate whether a particular inkjet printer cartridge is supported by a particular inkjet printer cradle (Bolash et al. teaches identification information related to print head, makes use of memory, col. 2, lines 6-15; col. 3, lines 25-59; col. 10, lines 15-30; it known in the art to utilize either memory storage or visible identification such as taught by Carrese et al., see below)

Carrese et al. disclose the following:

*regarding claim 5, indicia/**colored indicia/** are present on the inkjet printer cartridges/**ink tank, 200/** and on the inkjet printer cradles/**ink tank support structure, 100/** to indicate whether a particular inkjet printer cartridge/**ink tank, 200/** is supported by a particular inkjet printer cradle/**ink tank support structure, 100/** (col. 6, lines 39-54)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to indicia are present on the inkjet printer cartridges and on the inkjet printer cradles to indicate whether a particular inkjet printer cartridge is supported by a particular inkjet printer cradle as taught by Carrese et al. into Bolash et al. as modified by Matsumoto for the purpose of helping the user put an appropriate tank into the correct location.

Response to Arguments

6. Applicant's arguments, see pages 2 and 3, filed 02/04/09, with respect to the rejection(s) of claim(s) 2-6 under 35 U.S.C. § 102(a) have been fully considered and are

persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bolash et al. (US 6,151,041) and Matsumoto (US 4,628,332). Bolash teaches the use of a variety of unique print head cartridges, wherein a cradle, having plurality of locations, is adapted to accept each unique cartridge in any location available regardless of type. Bolash teaches using print head cartridges having high resolution or low resolution. Bolash fails to teach high/low resolution as related to a performance characteristic specific to speed. Matsumoto teaches the deficiency of Bolash in that high resolution print cartridge is known in the art to indicate more, compared to normal, orifices being present on the printhead, thus leading to higher quality images and increased speed.

Communication with the USPTO

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RENE GARCIA JR whose telephone number is (571)272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. G./
Examiner, Art Unit 2853

/Manish S. Shah/
Primary Examiner, Art Unit 2853